

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICHOLAS MARTIN, on behalf of himself and)	
others similarly situated,)	1:10-cv-3494
Plaintiff,)	
)	Judge Dow
v.)	Magistrate Judge Ashman
)	
CCH, INCORPORATED,)	
Defendant.)	JURY DEMANDED
)	

PLAINTIFF'S MOTION TO EXTEND DISCOVERY FOR LIMITED PURPOSE

Plaintiff respectfully requests that this Court extend discovery in this case for thirty days, so that plaintiff may obtain a response to a subpoena from Continuant, Inc. In support of this motion, plaintiff states:

1. This is a Telephone Consumer Protection Act telemarketing case. CCH, Inc., a company that specializes in tax preparation software and legal publications, used a predictive dialer to call hundreds of thousands of telephone numbers peddling its tax software and other products and services.

2. Because he had received almost no documents from CCH regarding its dialer, plaintiff issued a subpoena to Continuant, Inc., which is a company hired by CCH to provide support for its dialer, asking for emails and other documents concerning CCH's dialer.

3. Continuant has indicated that it is willing to provide documents, but that it needs more time. Continuant has also indicated that it may require enhanced confidentiality for its production, and may even have to hire an outside vendor to help locate the materials.

Plaintiff's counsel is meeting and conferring with Continuant's counsel about these issues.

4. In other words, the subpoena response was due before the close of discovery, but, in order to make responding easier on Continuant, plaintiff requests that the time for discovery as to its response be extended to ease the burden on Continuant.

5. Plaintiff conferred with CCH as to whether it objects to this motion, and CCH did not indicate a concrete position one way or the other.

WHEREFORE, plaintiff respectfully requests that this Court extend discovery in this case for thirty days, for the limited purpose of permitting third party Continuant, Inc. to produce its response to a subpoena that was issued within the discovery period.

Respectfully submitted,

/s/Alexander H. Burke

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